

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:	Chapter 11
SRC LIQUIDATION LLC, Debtor.	Bankruptcy Case No. 15-10541 (BLS) Adv. Pro. No. 15-50771 (BLS)
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EISNERAMPER LLP, NOT IN ITS INDIVIDUAL CAPACITY BUT AS TRUSTEE OF THE SRC LIQUIDATING GUC TRUST,	
Appellant,	
v.	C. A. No. 16-119-LPS
JOSEPH P. MORGAN, JR., ROY W. BEGLEY, JR., F. DAVID CLARKE, III, JOHN Q. SHERMAN, II, JULIE D. KLAPSTEIN, JOHN J. SCHIFF, JR., ROBERT M. GINNAN, R. ERIC MCCARTHEY, JOHN DOES 1-10, AND AYZ COMPANIES 1-10,	
Defendants.	

RECOMMENDATION

At Wilmington this **28th** day of **March, 2016**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern
Mediation of Appeals from the United States Bankruptcy Court for this District dated
September 11, 2012, the court conducted an initial review, which included information
from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues
involved in this case are not amenable to mediation and mediation at this stage would

not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. The parties advised that mediation would not be a worthwhile exercise.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court.

The parties request that the following Scheduling Order for briefing be entered:

Appellant's Opening Brief May 13, 2016

Appellees' Responsive Brief July 12, 2016

Appellant's Reply Brief August 12, 2016

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE